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(SPACE BELOW FOR FILING STAMP
 ONLY)

Attorneys for Plaintiff
 INTERSTATE FIRE & CASUALTY COMPANY,
 an Illinois corporation,

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA, EASTERN DIVISION

INTERSTATE FIRE & CASUALTY
 COMPANY, an Illinois corporation,

Plaintiff,

v.

PACIFIC EMPLOYERS INSURANCE
 COMPANY, a Pennsylvania
 corporation,

Defendant.

Case No. EDCV06-0593 VAP (OPx)

**PLAINTIFF INTERSTATE FIRE &
 CASUALTY COMPANY'S NOTICE
 OF MOTION AND MOTION TO
 RETAX COSTS**

Complaint Filed: June 6, 2006
 Trial Date: None
 Judge: Hon. Virginia A. Phillips

REPUBLIC WESTERN INSURANCE
 COMPANY, an Arizona corporation,

Plaintiff in
 Intervention,

v.

INTERSTATE FIRE & CASUALTY
 COMPANY, an Illinois corporation;
 PACIFIC EMPLOYERS INSURANCE
 COMPANY, a Pennsylvania
 corporation,

Defendants in
 Intervention.

Date: August 31, 2009
 Time: 10:00 a.m.
 Ctrm: 2

**[Filed concurrently with:
 Memorandum of Points and
 Authorities; Declaration of Todd W.
 Baxter]**

PLAINTIFF INTERSTATE FIRE & CASUALTY COMPANY'S NOTICE OF MOTION AND MOTION TO
 RETAX COSTS

EDCV06-0593 VAP (OPx)

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that Plaintiff INTERSTATE FIRE & CASUALTY
3 COMPANY ("INTERSTATE") will and hereby does move to retax the costs taxed
4 by the clerk of the Court on July 31, 2009. The hearing on such motion will be held
5 on August 31, 2009 at 10:00 a.m. in Courtroom 2 of the above-captioned Court, the
6 Honorable Virginia A. Phillips presiding.

7 This motion to retax is made pursuant to Local Rule 54-9, on the grounds
8 that \$5,132.72 of these costs submitted by Defendant PACIFIC EMPLOYERS
9 INSURANCE COMPANY are nonawardable under 28 U.S.C. § 1920.

10 This Motion is based on this Notice of Motion, the accompanying
11 memorandum of points and authorities, the Declaration of Todd W. Baxter, and on
12 such oral and documentary evidence, argument and authorities as may be presented
13 in reply and at the hearing regarding these matters.

14 Dated: August 7, 2009

McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP

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17 By: /s/ Todd W. Baxter

James P. Wagoner
Todd W. Baxter
Paul J. Whitfield
Attorneys for Plaintiff,
INTERSTATE FIRE & CASUALTY
COMPANY

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